

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA

MARTHA ADAMS, ET AL.

PLAINTIFFS

V.

CIVIL ACTION NO.:
2:07-CV-01064-WKW-TFM

ASBESTOS DEFENDANTS:

ALBANY INTERNATIONAL, ET AL.

DEFENDANTS

JOINT MOTION TO DISMISS WITHOUT PREJUDICE

COME NOW the Plaintiffs, each of them individually and in their representative capacities, and the Defendants Mobil Corporation, Parent of Mobil Oil Corporation, erroneously referred to as Mobil Oil; Exteco, Inc. f/k/a The Thermo Electric Company, Inc.; The Marley-Wylain Company d/b/a Weil-McLain Company, Inc.; and, Borg-Warner Corporation, by and through its Successor in Interest, BorgWarner Morse TEC, Inc. and jointly move the Court for a dismissal without prejudice of the referenced Defendants from this cause, with each party to bear their respective costs.

WHEREFORE PREMISES CONSIDERED, the Plaintiffs, individually and in their representative capacities and the Defendants Mobil Corporation, Parent of Mobil Oil Corporation, erroneously referred to as Mobil Oil; Exteco, Inc. f/k/a The Thermo Electric Company, Inc.; The Marley-Wylain Company d/b/a Weil-McLain Company, Inc.; and, Borg-Warner Corporation, by and through its Successor in Interest, BorgWarner Morse TEC, Inc. and move the Court for a dismissal without

prejudice of the referenced Defendants from this matter. The movants hereto also request such other and further relief to which they may be entitled to in the premises.

RESPECTFULLY SUBMITTED this the 28th of December 2007.

MARTHA ADAMS, ET AL.

By: s/ G. Patterson Keahey, Jr.
G. PATTERSON KEAHEY, JR.
ASB-6357-A64G
Counsel for Plaintiffs

MOBIL CORPORATION, PARENT OF
MOBIL OIL CORPORATION,
ERRONEOUSLY REFERRED TO AS
MOBIL OIL

EXTECO, INC. F/K/A THE THERMO
ELECTRIC COMPANY, INC.

THE MARLEY-WYLAIN COMPANY
D/B/A WEIL-MCLAIN COMPANY, INC.;

BORG-WARNER CORPORATION, BY
AND THROUGH ITS SUCCESSOR IN
INTEREST, BORGWARNER MORSE
TEC, INC.

By: s/ Chadwick L. Shook
CHADWICK L. SHOOK
ASB-6452-S80C
Counsel for Referenced Defendants

OF COUNSEL:

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CERTIFICATE OF SERVICE

I, Chadwick L. Shook, do hereby certify that I have on this 28th day of December, 2007 day served a copy of the above and foregoing by electronic means via the CM/ECF to those registered with the CM/ECF.

s/ Chadwick L. Shook